IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LEONARD HROMEK, KIMBERLY HROMEK, and MICHAELLA PACK, Administrators of the Estate of Nicholas P. Hromek; Plaintiffs	:	**No. 3:23cv549**
	:	**(Judge Munley)**
v.	:	
BOROUGH OF EXETER and CHIEF SCHLAGEL, Exeter Borough Police Department, Defendants	:	

ORDER

AND NOW, to wit, this 17th day of September 2024 it is hereby **ORDERED** as follows:

1) Defendant Chief Schlagel's motion to dismiss (Doc. 7) is **DENIED**;

2) Defendant Borough of Exeter's motion to dismiss (Doc. 8) is **GRANTED** in part with regard to Counts Three and Four. Accordingly, Counts Three and Four are dismissed from the complaint. The motion is **DENIED** in all other respects.

BY THE COURT:

JUDGE JULIA K. MUNLEY
United States District Court